

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Art Unit: 2134

Kenneth L. Levy

Confirmation No.: 9557

Application No.: 10/017,677

Filed: December 13, 2001

**VIA Electronic Filing**

For: FORENSIC DIGITAL WATERMARKING  
WITH VARIABLE ORIENTATION AND  
PROTOCOLS

Examiner: P. Poltorak

Date: May 15, 2008

**INTERVIEW SUMMARY RECORD**

The undersigned thanks the Examiner for conducting a telephone interview today, May 15, 2008, concerning the relationship between applications 10/017,677 and 10/866,172. The undersigned requested the Examiner to confirm that he had considered 10/017,677 and 10/866,172, including the claims and associated Actions that he issued in each when examining and then allowing these applications. On prior occasions, the Examiner and the undersigned discussed both these applications at the same time. One such example was the interview of June 4, 2007, which is recorded in interview summary records in both applications and had an interview agenda filed June 1, 2007, indicating that both applications were to be discussed in the interview. Another example was the telephone interview of January 24, 2008, in which the Examiner discussed the pre-appeal review for both applications and indicated that the Examiner's supervisor had reviewed both cases at the same time. Another example is an email response from the Examiner on January 25, 2008, indicating that he had received the proposed amendments in both applications as a follow up to the pre-appeal review and feedback from the Examiner's supervisor.

The Examiner confirmed that he had considered these applications, associated actions, and their relevance to each other. In particular, the Examiner recalled that he had reviewed these applications at the same time with his supervisor at the time of the pre-appeal review and indication of allowable subject matter.

In the event the Examiner has any concerns regarding the two applications and consideration of each application in the other, please advise the applicant.

Date: May 15, 2008

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Respectfully submitted,

DIGIMARC CORPORATION

By 

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